

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
NO. 5:18-CR-452-FL-1**

**UNITED STATES OF AMERICA**

**v.**

**LEONID I. TEYF**

)  
) **MOTION TO CONTINUE HEARING ON**  
) **MOTION TO COMPEL AND INITIAL**  
) **APPEARANCE ON SUPERSEDING**  
) **INDICTMENT**  
)  
)

Leonid I. Teyf, by and through counsel, hereby moves this Court to continue the hearing on the Government's motion to compel a response to the February 22, 2019 grand jury subpoena for information regarding foreign financial accounts ("Motion to Compel"), as well as the initial appearance on the Fourth Superseding Indictment. The currently scheduled date for both the hearing and initial appearance is June 6, 2019. (ECF No. 273). Mr. Teyf first requests a continuance to a date 30 days after Mr. Teyf has retained new counsel, assuming the Court grants the motion to withdraw as counsel of record for Mr. Teyf filed by the undersigned and currently pending before the Court ("Motion to Withdraw"). In the alternative, if the Court does not grant the Motion to Withdraw, Mr. Teyf requests a continuance to June 10, 11 or 12 or after June 24 as Mr. Teyf's lead counsel has commitments, including family vacation scheduled in the interim.

Mr. Teyf further moves the Court to continue the deadline to meet and confer with the Government and to submit a process and timeline for reviewing and producing records responsive to the subpoena from the currently scheduled date of June 4, 2019 (ECF No. 273) to two days before the rescheduled hearing date. In support of this Motion, Mr. Teyf shows as follows:

On May 24, 2019, the undersigned filed the Motion to Withdraw. (ECF No. 274). The Court has scheduled a hearing on the Motion to Withdraw for May 30, 2019. (ECF No. 280). If

the Court grants the Motion to Withdraw, the week-long period between the hearing on the Motion to Withdraw and the hearing on the Motion to Compel will not be sufficient for Mr. Teyf to retain new counsel and for new counsel to inform himself or herself of the issues surrounding the Motion to Compel and Mr. Teyf's objections to the subpoena and to prepare for the hearing. The initial appearance on the Fourth Superseding Indictment is also an event at which Mr. Teyf should have counsel present who will be representing him going forward. If the Court denies the Motion to Withdraw, the undersigned will not have sufficient time to meet and confer with the Government and submit to the Court a proposed process and timeline for the filing of Mr. Teyf's response to the subpoena by June 4, 2019.

Additionally, James P. McLoughlin, Jr., who is currently lead counsel, will be travelling on June 6 and thereafter will be on vacation until June 24. Lead counsel's travel and vacation were scheduled prior to the Court's scheduling of the hearing on the Motion to Withdraw and initial appearance on the superseding indictment.

If the Court denies the Motion to Withdraw, Mr. Teyf should have the opportunity to be represented by lead counsel at a hearing that may result in his being compelled to respond to a subpoena that implicates his Fifth Amendment privilege against self-incrimination. The continuance requested should not delay trial or otherwise impose undue prejudice on the Government. The Government has been informed regarding this Motion to Continue and has advised the undersigned that it does not take a position on the Motion to Continue.

The interests of justice are served by allowing Mr. Teyf a continuance to retain new counsel and fully apprise new counsel of the grounds for the Motion to Compel and the issues surrounding the Fourth Superseding Indictment, or for his lead counsel to be present and to have sufficient time to meet and confer with the Government.

This 29th day of May, 2019.

/s/ James P. McLoughlin, Jr.  
James P. McLoughlin, Jr.  
N.C. State Bar No. 13795  
John S. Han  
N.C. State Bar No. 54113  
Kathryn G. Wellman  
N.C. State Bar No. 51163  
Fielding E. Huseh  
N.C. State Bar No. 53121  
Benjamin F. Leighton  
N.C. State Bar No. 50835  
MOORE & VAN ALLEN PLLC  
100 North Tryon Street, Suite 4700  
Charlotte, NC 28202-4003  
Phone: (704) 331- 1054  
Facsimile: (704) 378-2054  
Email: [jimmcloughlin@mvalaw.com](mailto:jimmcloughlin@mvalaw.com)  
[johnhan@mvalaw.com](mailto:johnhan@mvalaw.com)  
[katewellman@mvalaw.com](mailto:katewellman@mvalaw.com)  
[fieldinghuseh@mvalaw.com](mailto:fieldinghuseh@mvalaw.com)  
[benleighton@mvalaw.com](mailto:benleighton@mvalaw.com)

## CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of May, 2019, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such filing to:

Barbara D. Kocher  
U.S. Attorney's Office  
310 New Bern Ave.  
Suite 800  
Raleigh, NC 27601  
Email: [barb.kocher@usdoj.gov](mailto:barb.kocher@usdoj.gov)

Jason M. Kellhofer  
U.S. Attorney's Office  
310 New Bern Ave.  
Suite 800  
Raleigh, NC 27601  
Email: [jason.kellhofer@usdoj.gov](mailto:jason.kellhofer@usdoj.gov)

Matthew L. Fesak  
U.S. Attorney's Office  
310 New Bern Ave.  
Suite 800  
Raleigh, NC 27601  
Email: [matthew.fesak@usdoj.gov](mailto:matthew.fesak@usdoj.gov)

/s/ James P. McLoughlin, Jr.  
James P. McLoughlin, Jr.  
N.C. State Bar No. 13795  
John S. Han  
N.C. State Bar No. 54113  
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Fielding E. Huseeth  
N.C. State Bar No. 53121  
Benjamin F. Leighton  
N.C. State Bar No. 50835  
MOORE & VAN ALLEN PLLC  
100 North Tryon Street, Suite 4700  
Charlotte, NC 28202-4003  
Phone: (704) 331- 1054  
Facsimile: (704) 378-2054  
Email: [jimmcloughlin@mvalaw.com](mailto:jimmcloughlin@mvalaw.com)  
[johnhan@mvalaw.com](mailto:johnhan@mvalaw.com)  
[katewellman@mvalaw.com](mailto:katewellman@mvalaw.com)  
[fieldinghuseth@mvalaw.com](mailto:fieldinghuseth@mvalaw.com)  
[benleighton@mvalaw.com](mailto:benleighton@mvalaw.com)